

Remarks

The present response is to the Office Action mailed in the above referenced case on February 21, 2008. Claims 1, 3-14, 16-28 and 30-33 are standing for examination.

Response to Arguments

The Examiner has kindly provided a "Response to Arguments" portion of the present Office Action. Applicant herein amends the present claims, arguing the patentability of the claims, as amended, below. Therefore, applicant will not respond to the arguments presented in this section as new arguments are made in the present response.

Specification

The disclosure is objected to because of the following informalities: Applicant cites Ser. No. 09/523,598, which should be 09/353,598.

Appropriate correction is required.

Applicant's response

Applicant herein amends the specification, correcting the serial number to priority application 09/323,598. The Ser. No. indicated by the Examiner was incorrect, however we amend with the correct number.

Claim Objections

Claim 1 is objected to because of the following informalities: the term "as if the user" is used twice, and is awkward. The Examiner interprets the claim to say "...the software automatically accesses and logs into user's accounts by providing the user's account name and password, and then once logged in, accesses the financial information ...". Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. Claims 1, and 3-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention,

Applicant's response

Applicant herein cancels claims 1 and 3-13 in the present response, therefore, the above rejections/objections are moot.

Merit Rejection under 35 USC 103

14. Claims 1, 3-14, 16-28, and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 7,165,044 to Chaffee in view of U.S. Patent 6,859,878 to Kerr et al., and in further view of Official Notice.

Applicant's response

Applicant herein cancels claims 1 and 3-13. Claims 14 and 28 are herein amended to specifically recite a second server node connected to the network and accessible to the first server node, the second server node providing automated navigation to Web pages providing access to the user's investment accounts, logging in with the user's password and user name, as if the user, periodically accessing the user's financial data held in the accounts, manipulating the accounts, as if the user, and aggregating the data for the user; and

a portfolio-tracking software interface installed on the first server node;

wherein the interface is accessible to the user and connected to the network by respective remote nodes, and the user, accessing the first server node from the remote nodes interacts with the portfolio-tracking interface for the purpose of viewing the user's financial data according to selected category, the user's portfolio data compiled, aggregated by proxy and stored by the second server and the first server accesses the user's aggregated financial information from the second server and generates reports for the user.

Applicant points out that the second server performs the heavy time consuming work of navigating, accessing and aggregating data at Web sites and the first server provides the portal

for the user to access aggregated information and reports in a timely efficient manner.

Applicant does not believe it would be obvious to have a second server performing the majority of the work because applicant teaches that the information or reports retrieved from the interface are done with cell phones and hand-held computing devices. These "lite" computing devices have difficulty navigating, accessing and waiting for information to be compiled. Having a second server to perform the heavy work, as in applicant's invention, allows updated accurate information to be available in an instant for said lite computing devices. Chaffee teaches one remote server 10 communicating with financial institutions (Fig. 1). DaCosta merely teaches an application 220 executing from a user's PC. Because the art provided by the Examiner fails to teach financial data and reports are accessed by cell phones or hand held computing devices, the art fails to suggest such a limitation, as claimed.

Applicant believes claims 14 and 28, as amended, are patentable over the art and the Examiner's "Official Notice". Dependent claims 16-27 and 30-33 are patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims have been shown to be patentable over the art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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